



Civil Aviation (Transitional—CAA Staff Members' Superannuation) Regulations 2018

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 12 July 2018

Peter Cosgrove
Governor-General

By His Excellency's Command

Michael McCormack
Deputy Prime Minister and Minister for Infrastructure and Transport

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules	1
5	Definitions	1
6	Superannuation of transferring Civil Aviation Authority staff members	2
Schedule 1—Repeals		3
<i>Civil Aviation Legislation Amendment (Transitional Provisions) Regulations</i>		<i>3</i>

1 Name

This instrument is the *Civil Aviation (Transitional—CAA Staff Members' Superannuation) Regulations 2018*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	14 July 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Civil Aviation Legislation Amendment Act 1995*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

AA employee means a person employed by Airservices Australia under the *Air Services Act 1995*.

Act means the *Civil Aviation Legislation Amendment Act 1995*.

CASA staff member means a person appointed or employed by the Civil Aviation Safety Authority under the *Civil Aviation Act 1988*.

Superannuation Fund means the superannuation scheme that, immediately before 6 July 1995, was known as the CAA Staff Superannuation Fund.

Section 6

Note 1: On 6 July 1995, the Civil Aviation Authority was abolished and its staff became either AA employees or CASA staff members under section 8 of the Act.

Note 2: In 2018, the superannuation scheme was known as the AvSuper Fund.

Trust Deed means the trust deed dated 17 July 1990 that established the Superannuation Fund.

6 Superannuation of transferring Civil Aviation Authority staff members

- (1) This section has effect for the purposes of the Trust Deed (as in force from time to time) relating to a person who was a member of the Superannuation Fund immediately before 6 July 1995 under the Trust Deed (as in force immediately before 6 July 1995).

Membership did not automatically cease on 6 July 1995

- (2) The person is taken not to have ceased to be a member:
- (a) because of the abolition of the Civil Aviation Authority; or
 - (b) because the person became an AA employee or CASA staff member under section 8 of the Act on 6 July 1995.

Continuation of membership while an AA employee or CASA staff member

- (3) The person is taken to continue, or have continued, to be a member while the person continues, or continued, to be an AA employee or CASA staff member.

Entitlements relating to period of membership before 6 July 1995

- (4) The person is taken to be entitled to payments and other benefits from the Superannuation Fund as if, for the period starting when the person last became a member of the Superannuation Fund before 6 July 1995 and ending immediately before 6 July 1995, the person had been:
- (a) if the person was an AA employee on 6 July 1995—an AA employee for that period; or
 - (b) if the person was a CASA staff member on 6 July 1995—a CASA staff member for that period.

Entitlements do not arise merely because of transfer of employment on 6 July 1995

- (5) The person is taken not to be entitled to payments or other benefits merely because the person became an AA employee or CASA staff member under section 8 of the Act on 6 July 1995.

Schedule 1—Repeals

Civil Aviation Legislation Amendment (Transitional Provisions) Regulations

1 The whole of the instrument

Repeal the instrument.